

1 HONORABLE BENJAMIN H. SETTLE
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 HP TUNERS, LLC, a Nevada limited liability company,) CASE NO. 3:17-cv-05760-BHS
9 Plaintiff,)
10 vs.) **PLAINTIFF HP TUNERS LLC'S
11 KEVIN SYKES-BONNETT and SYKED) MOTION FOR PARTIAL SUMMARY
12 ECU TUNING INCORPORATED,) JUDGMENT PURSUANT TO FRCP 56
13 Washington corporation, and JOHN) AND LR 56.1
14 MARTINSON,) **NOTING DATE: JUNE 25, 2021**
15 Defendants.) **ORAL ARGUMENT REQUESTED****

16 NOW COMES, Plaintiff HP Tuners, LLC ("HPT" or "Plaintiff"), by its attorneys, for its
17 Motion for Partial Summary Judgment pursuant to FRCP 56 and LR 56.1. In support thereof,
18 HPT submits the Memorandum in Support of Motion for Partial Summary Judgment filed
19 contemporaneously herewith.

20 As detailed in the Memorandum in Support of Motion for Partial Summary Judgment,
21 based on the admissions made by Kevin Sykes-Bonnett, individually, and in his capacity as a
22 principal, owner and officer of Defendant Syked ECU Tuning, Inc. and its successor or alter ego,
23 Syked Performance Engineering, LLC, there are no genuine issues of material fact vis-a-vis
24 liability for the claims asserted and partial summary judgment against Defendants Kevin-Sykes-
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1 Bonnett, Syked ECU Tuning, Inc. and Syked Performance Engineering LLC and in favor of
2 Plaintiff HPT on Counts I through VIII is appropriate at this time with the only remaining
3 determinations to be made being the measure of damages and nature and extent of the injunctive
4 relief to be entered against these Defendants.

5 WHEREFORE, summary judgment in favor of HPT and against Defendants Sykes-
6 Bonnett, Syked Tuning and SPE should be entered on each of the counts asserted in the First
7 Amended Complaint and this matter should be set for prove on the issue of monetary damages
8 and the nature and extent of the permanent injunctive relief to be entered.
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10 Dated this 2nd day of June, 2021

11 Respectfully submitted,

12 s/ Andrew P. Bleiman
13 Attorneys for HP Tuners, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2021, I caused the foregoing to be electronically filed with the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all Counsel of Record.

MARKS & KLEIN

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